



Paper No. 5

STEVENS, DAVIS, MILLER & MOSHER, LLP
1615 L STREET, NW, SUITE 850
P.O. BOX 34387
WASHINGTON, D.C. 20043-4387

In re Application of
Naoyasu Miyagawa et al.
Reissue Application No. 09/609,699
Filed: November 22, 1999
Attorney Docket No. JEL 28567RE-B

DECISION ON PETITION

This is a decision on the petition under 37 CFR 1.182, filed June 30, 2000, to reconstruct the instant reissue patent application.

The petition is **granted**.

The application history for this application is as follows: Application No. 07/740,629, filed on August 5, 1991, issued into Patent No. 5,235,581 on August 10, 1993. On March 1, 1995, Application No. 08/396,981 was filed as a reissue application of Patent No. 5,235,581. Reissue Application No. 08/396,981 issued into Patent No. RE36445 on December 14, 1999. On November 22, 1999, petitioners filed the instant application papers as a continuation of Reissue Application No. 08/396,981. Unfortunately, however, the application papers were lost in the Office. Consequently, petitioners have filed the present petition requesting a reconstruction of the instant application.


The postcard receipt attached to the present petition is persuasive evidence of a November 22, 1999 filing date for the instant application. The application papers have been placed in a reissue application file wrapper and assigned Application No. 09/609,699.

The preliminary amendment filed on December 13, 1999 has been entered into the record for this application file.

No fee is associated with this petition.

This application file is being forwarded to the Office of Initial Patent Examination for further processing.

Telephone inquiries concerning this matter should be directed to Petitions Attorney Karen Canaan at (703) 306-3313.


Beverly M. Flanagan
Supervisory Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy